

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION

JAMES EDWARD NEWTON,

Plaintiff,

v.

CARL LIFT, *et al.*,

Defendants.

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CIVIL ACTION NO. 5:10-CV-288 (MTT)

**ORDER**

This case is before the Court on the Recommendation (Doc. 25) of United States Magistrate Judge Charles H. Weigle on Defendants' Motion to Dismiss (Doc. 11) (the "Motion"). The Magistrate Judge recommends granting the Motion in part and denying the Motion in part. The Magistrate Judge recommends granting the Motion with regard to the Plaintiff's allegations based solely on his claims involving chronic care medications, because the Plaintiff did not exhaust his administrative remedies in regard to those claims. The Magistrate Judge recommends denying the Motion with regard to the Plaintiff's claim of deliberate indifference to his serious medical needs on the part of two of the Defendants, Dr. Carl Lift and Janice Harper, because the Plaintiff's allegations adequately state a claim.

The Defendants Dr. Carl Lift and Janice Harper filed an objection to the portion of the Recommendation denying the Motion to Dismiss. (Doc. 27). The Plaintiff has not filed an objection. The Court has reviewed the Recommendation and the Defendants' Objection to the Magistrate Judge's Recommendation. The Court accepts and adopts the findings, conclusions and recommendations of the Magistrate Judge. The Recommendation is adopted in its entirety and made the order of this Court. Therefore, Defendants' Motion to Dismiss is **GRANTED** in part and **DENIED** in part.

**SO ORDERED**, this the 22nd day of September, 2011.

S/ Marc T. Treadwell  
MARC T. TREADWELL, JUDGE  
UNITED STATES DISTRICT COURT